

JC10 Rec'd PCT/PTO 18 APR 2005

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PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0657-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEYS DOCKET NO. 12680-003
		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/510,164
INTERNATIONAL APPLICATION NO. PCT/AU03/00386	INTERNATIONAL FILING DATE 03/28/2003	PRIORITY DATE CLAIMED 04/02/2002
TITLE OF INVENTION A Device for, and a Method of, Transcutaneous Pressure Waveform Sensing of an Artery and a Related Target Apparatus		
APPLICANT(S) FOR DO/EO/US Peter Chris Harpas, Yervant Chijian		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) and/or amendments under Article 34.</p>		
Items 11 to 20 Below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Response to Missing Requirements and Return Receipt Postcard</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 12 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) 10/510,164		INTERNATIONAL APPLICATION NO. PCT/AU03/00386		ATTORNEY'S DOCKET NO. 12680-003	
21. <input type="checkbox"/> The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee.....\$200.00 <input type="checkbox"/> c) Search Fee.....\$500.00 TOTAL OF ABOVE CALCULATIONS \$ _____ <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				CALCULATIONS	PTO USE ONLY
				\$	
				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	31- 20 =	11	x \$ 50.00	\$550.00	
Independent Claims	3- 3 =	0	x \$ 200.00	\$0.00	
Multiple dependent claim(s) if Applicable		0	+ \$360.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$680.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$340.00	
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE=				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31), \$40.00 per property +					
TOTAL FEES ENCLOSED=				\$340.00	
				Amount to be refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$340.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-1925 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
Send All Correspondence to: Brinks Hofer Gilson & Lione P.O. Box 10395 Chicago, IL 60610			<div style="text-align: right;"> Repl. Ref: 05/02/2005 PKIDWELL 0018004700 DAB: 231925 Name/Number: 10510164 FC: 9284 \$275.00 CR </div> <div style="margin-top: 20px;"> Signature Eric J. Sosenko </div> <div style="margin-top: 10px;"> Name 34,440 </div> <div style="margin-top: 10px;"> Registration Number </div>		

04/21/2005 SNAJARRO 00000054 10510164

01 FC:2615 275.00 OP
02 FC:2617 65.00 OP

Adjustment date: 05/02/2005 PKIDWELL
04/21/2005 SNAJARRO 00000054 10510164
01 FC:2615 -275.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter Chris Harpas et al.

Serial No.: 10/510,164

Filed: October 1, 2004

For: A DEVICE FOR, AND A METHOD OF,
TRANSCUTANEOUS PRESSURE
WAVEFORM SENSING OF AN ARTERY
AND A RELATED TARGET APPARATUS

Examiner: Unknown

Group Art Unit: Unknown

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C 371

In accordance with the Notification of Missing Requirements mailed February 17, 2005, a copy of which is attached, enclosed herewith for filing are a Preliminary Amendment (7 pages) and a fully-executed, combined Declaration and Power of Attorney (3 pages) for the above-referenced patent application.

Upon entry of the Preliminary Amendment referenced above, Applicant has calculated the fees associated with the filing of this Response as follows:

- ☐ A basic filing fee in an amount of \$_____ under 37 C.F.R. § 1.16(a).
- ☒ An additional filing fee in an amount of \$275.00 under 37 C.F.R. § 1.16(b), (c) and/or (d).
- ☒ A surcharge in an amount of \$65.00 under 37 C.F.R. § 1.492(e).
- ☐ An extension fee in an amount of \$___ for a __-month extension of time under 37 C.F.R. § 1.136(a).

BRINKS
HOFER
GILSON
& LIONE

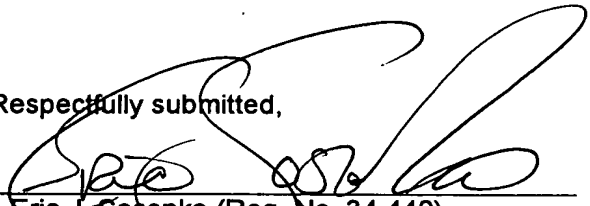
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610

Via the accompanying transmittal letter, the Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

April 18, 2005

Date


Eric J. Sosenko (Reg. No. 34,440)

☒ Attorney/Agent of Record
☐ 37 C.F.R. 1.34(a)

EJS/alr



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/510,164

FIRST NAMED APPLICANT

Peter Chris Harpas

ATTY. DOCKET NO.

12680-003(580495US)

INTERNATIONAL APPLICATION NO.

PCT/AU03/00386

I.A. FILING DATE

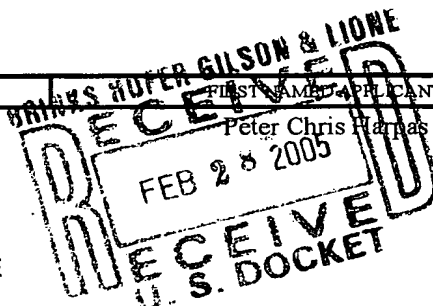
03/28/2003

PRIORITY DATE

04/02/2002

00757

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610



CONFIRMATION NO. 6583

371 FORMALITIES LETTER



OC000000015210416

Date Mailed: 02/17/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/01/2004
- Copy of the International Search Report filed on 10/01/2004
- Information Disclosure Statements filed on 10/01/2004
- Request for Immediate Examination filed on 10/01/2004
- U.S. Basic National Fees filed on 10/01/2004
- Priority Documents filed on 10/01/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$980** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1045** for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 980
 - \$800 for 32 total claims over 20.
 - \$180 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,164	PCT/AU03/00386	12680-003(580495US)

FORM PCT/DO/EO/905 (371 Formalities Notice)